

2001

CITY OF MARCO ISLAND

ORDINANCE 01- 16

AN ORDINANCE TO ESTABLISH NEW OFF-STREET PARKING AND LOADING STANDARDS AND REGULATIONS TO SUPERCEDE, SUPPLEMENT, AND/OR REPLACE STANDARDS AND REGULATIONS FOUND IN THE COLLIER COUNTY LAND DEVELOPMENT CODE (ORDINANCE 91-102, AS AMENDED), AND CURRENTLY APPLICABLE TO THE OFF-STREET PARKING AND LOADING ON MARCO ISLAND; ESTABLISHING PURPOSE AND INTENT; ESTABLISHING GENERAL APPLICABILITY; PROVIDING FOR OFF-STREET PARKING DESIGN STANDARDS; PROVIDING FOR LOCATIONAL REQUIREMENTS; PROVIDING FOR DIMENSIONAL STANDARDS; ESTABLISHING USES NOT SPECIFICALLY MENTIONED; PROVIDING FOR MEASUREMENTS AND FRACTIONAL MEASUREMENTS; ESTABLISHING MINIMUM REQUIREMENTS; PROVIDING FOR OFF-STREET LOADING REQUIREMENTS; PROVIDING FOR PARKING FOR THE DISABLED; PROVIDING FOR VESTED PROJECTS; PROVIDING FOR INCORPORATION, CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166 of the Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Chapter 163, Florida Statues, requires municipalities to adopt Land Development Regulations within one year of Comprehensive Plan adoption; and

WHEREAS, the Marco Island Planning Board, as the Local Planning Agency, has conducted all required public hearings related to this ordinance, and has forwarded this ordinance to City Council with a recommendation of approval.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA:

SECTION ONE: INTENT AND PURPOSE

It is the intent of this division that the public health, safety, comfort, order, appearance, convenience, interest, and general welfare require that every building and use erected or instituted after the effective date of this ordinance shall be provided with adequate off-street parking facilities for the use of occupants, employees, visitors, customers or patrons. It is also the intent of this ordinance that certain uses must provide adequate off-street loading facilities. Such off-street parking and off-street loading facilities shall be maintained and continued so long as the use continues.

## SECTION TWO: GENERAL APPLICABILITY

Wherever in any zoning district off-street parking facilities are provided for the parking or display of any and all types of vehicles, boats or heavy construction equipment, whether such vehicles, boats or equipment are self-propelled or not, and all land upon which vehicles traverse the property as a function of the primary use (including "drive-in" facilities) hereinafter referred to as "other vehicular uses," such facilities and land shall conform to the minimum requirements of this ordinance.

- a) *Repair of existing building or use.* Off-street parking and off-street loading facilities shall be provided as set forth in this ordinance. Conforming buildings and uses existing as of the effective date of this ordinance may be modernized, altered or repaired without providing additional off-street parking or off-street loading facilities, provided there is no increase in floor area or capacity or change in use which would require additional off-street parking.
- b) *Enlargement of existing building or use.* Where a conforming building or use existed as of the effective date of this ordinance and such building or use is enlarged in floor area, volume, capacity, or space occupied, off-street parking and off-street loading as specified in this ordinance shall be provided for the additional floor area, volume, capacity, or space so created or used.
- c) *Change of existing use.* Where a use and building existed at the effective date of this ordinance and the use is changed after the effective date of this ordinance and where this ordinance requires such later and changed use to have greater required off-street parking, then additional off-street parking shall be provided for the later and changed use as required under this ordinance.

### SECTION THREE: OFF-STREET PARKING DESIGN STANDARDS

Off-street parking facilities and other vehicular facilities, both required and provided, shall:

- a. Identification. Be identified as to purpose and location when not clearly evident.
- b. Surfacing.
  - i. Be surfaced with asphalt, concrete, solid concrete pavers, or other approved concrete or asphalt surfaces, maintained in a smooth, well-graded condition.
  - ii. Up to 70 percent of the parking spaces for houses of worship and schools may be surfaced with grass or lawn, provided:
    - a) Spaces that are not paved shall be compacted, stabilized, well drained and surfaced with a durable grass cover.
    - b) Driveways, handicapped spaces and access aisles shall be paved.
    - c) When the community development director determines that the paving of some or all parking spaces for houses of worship and schools will have significant negative environmental impacts, the director may require that these parking spaces not be paved. Upon approval of the community development director, a suitable material (limerock excluded) with a suitable stabilized sub grade may be substituted for the above materials.
- c. Drainage and slope. Be drained and sloped so as not to cause any nuisance to adjacent property or to public property or rights-of-way. Such facilities must also be sloped to meet the provisions of the Americans with Disabilities Act.
- d. Lighting. Outdoor lighting shall conform to the applicable provisions of Ordinance 99-7.

- e. Access. Be arranged for convenient and safe access of pedestrians and vehicles.
- f. Internal circulation. Be arranged so that no vehicle shall be forced onto any street to gain access from one aisle to another aisle.
- g. If the number of parking spaces required by this ordinance is two or more, all parking spaces shall be striped or marked with paint or other suitable pavement marking material.
- h. Landscaping. Be constructed so that interior portions of off-street vehicular facilities not utilized specifically as a parking space or maneuvering or other vehicular use area shall not be paved but shall be landscaped in accordance with this ordinance.
- i. Dead-end aisles. Off-street parking areas shall be designed so as not to create dead-end aisles except as may be permitted in accordance with provisions of the Building Code, or other applicable codes. Aisles designed for one-way traffic flow shall have painted arrows not less than four feet at each end of the aisle indicating the direction of travel. Dead-end aisles shall provide a turnaround feature (hammerhead, cul-de-sac, apron, etc.).
- j. Redesign. Whenever any part of an off-street parking lot and/or facility is redesigned, those pavement markings that no longer apply shall be completely obliterated.

#### SECTION FOUR: LOCATIONAL REQUIREMENTS FOR OFF-STREET PARKING FACILITIES.

All required off-street parking facilities shall be located on the same lot they serve; on a contiguous lot under the same ownership that is zoned for use as a parking lot; on a contiguous lot under different ownership that is zoned for use as a parking lot; or shall be approved under the provisions of subsection 4.C as provided below:

- A. Off-street parking on lots under same/unified ownership.

The community development director may approve off-street parking on contiguous lots under the same ownership provided the off-street parking lot is not separated by an arterial or a collector roadway. A

site development plan shall be submitted to the director which indicates that:

- (i) At least 67 percent of the required parking is on the lot with the principal structure; and
- (ii) The off-street lot(s) are zoned for use as a parking lot.

B. Off-street parking on lots under different ownership.

The community development director may approve off-street parking on contiguous lots that are under different ownership. A site development plan shall be submitted to the director which includes:

- (i) A minimum ten-year lease agreement between the property owners, including a provision that if and when the lease expires, the property owner requiring the off-street parking shall make other provisions for the required parking. The City Attorney shall review this agreement for form and legal sufficiency. The petitioner shall record the lease in the official records of Collier County before approval of the site development plan; and
- (ii) At least 67 percent of the required parking is on the lot with the principal structure; and
- (iii) The off-street lot(s) are zoned for use as a parking lot.

C. Off-street parking requiring public hearing.

The board of zoning appeals, after review and recommendation by the planning board, may approve off-street parking under the following circumstances:

- (i) The permitted use and the proposed off-street parking lot are separated by a collector or arterial roadway;
- (ii) The lot proposed for off-street parking is not zoned commercial;
- (iii) The lot proposed for off-street parking is not contiguous;

- (iv) The lot proposed for off-street parking provides greater than 33% of the required parking for the principal structure;
- (v) Parking reservations, in which the petitioner believes that the number of required parking spaces is excessive and wishes to reduce the number of parking spaces required to be constructed, while reserving the land area for future parking spaces if determined necessary by the community development director, or the board of zoning appeals.
- (vi) The lot proposed for off-street parking provides alternative parking surfaces.

The planning board and board of zoning appeals shall consider the following criteria for the approval of off-street parking as provided for in section 4.A. above:

1. Whether the amount of off-street parking is required by the parking regulations, or is in excess of these requirements.
2. The distance of the farthest parking space from the facility to be served.
3. Pedestrian safety if the lots are separated by a collector or arterial roadway.
4. Pedestrian and vehicular safety.
5. The character and quality of the neighborhood and the future development of surrounding properties.
6. Potential parking problems for neighboring properties.
7. Whether the internal traffic flow is required to leave the site to reach the proposed off-street parking.
8. Whether vehicular access shall be from or onto residential streets.
9. Whether buffers adjacent to the property zoned residential are 15 feet in width and include a wall in addition to required landscaping.

10. Whether the off-street parking area will be used for valet parking.
11. Whether the off-street parking area will be used for employee parking.
12. Whether there are more viable alternatives available.
13. Whether there is a need for a traffic analysis.

Off-street parking must be accessible from a street, alley or other public right-of-way and all off-street parking facilities must be so arranged that no motor vehicle shall have to back onto any street, excluding single-family and two-family residential dwellings and churches approved under the parking regulations.

#### SECTION FIVE: DIMENSIONAL STANDARDS

1. Minimum aisle widths. Minimum aisle widths shall be as follows:

<i>Angle of Parking</i>	<i>Aisle Width (One-Way)</i>	<i>Aisle Width (Two-Way)</i>
Parallel	12 feet*	20 feet
30 degrees	12 feet*	22 feet
45 degrees	12 feet*	22 feet
60 degrees	18 feet	24 feet
90 degrees	22 feet	24 feet

\*The Fire Department may require these to be increased to 14 feet where an acute turning radius is present.

2. Minimum parking space size. Each parking space shall be a minimum of nine feet by 18 feet in size, or 16 feet in depth measured from the aisle width to the face of the wheelstop, provided there is adequate space in front of the wheelstop for two feet of vehicular overhang.
3. Minimum compact parking space size. In retail commercial projects, up to 15 percent, and in all residential, office and industrial projects, up to 25 percent of the required parking spaces may be designated as compact spaces with minimum dimensions of eight feet by 16 feet. Compact spaces will only be allowed in projects requiring 20 or more parking spaces. The compact spaces shall be clustered in one or more

groups of spaces and dispersed throughout the site so that drivers using either compact or full-sized spaces have equal access to the most convenient parking locations. Compact spaces shall be designated by signs on every third space, painted "Compact" on each pavement space and double-striped to indicate their status.

5. Off-street parking adjacent to alley right-of-way. Parking spaces that take direct access from an alley right-of-way shall be separated from the side yard property line by a 10-foot wide landscape buffer island. A five-foot wide minimum landscape buffer shall be placed along the front of these spaces when parking is at direct access from the alley. Parking spaces shall be provided entirely on the subject property and shall not encroach into the alley right-of-way.

Off-street parking: single family and duplex dwelling units. All new single-family and duplex dwelling units shall provide at least two off-street parking spaces per unit, inclusive of garage area. The parking spaces and driveway shall be surfaced with asphalt, concrete, solid concrete pavers, or other appropriate dustless materials, maintained in a smooth, well-graded condition. All other permitted and conditional uses shall meet the parking requirements contained in this section.

Vehicles shall only be parked on the property on surfaces specifically intended for, and customarily used for, motor vehicle parking. Vehicle parking shall not block or overhang public sidewalks at anytime.

Driveways shall be setback a minimum of 7.5 feet from any property line for front-loading garages or 5 feet for side-loading garages. The setback is required to facilitate the installation and maintenance of landscape materials and prohibits vehicular parking.

#### SECTION SIX: PARKING FOR USES NOT SPECIFICALLY MENTIONED

Requirements for off-street parking for uses not specifically mentioned in this ordinance shall be the same as for the use most similar to the one sought, or as otherwise determined by the community development director, it being the intent of this ordinance to require all uses to provide off-street parking, unless specific provision is made to the contrary.

#### SECTION SEVEN: MEASUREMENTS AND FRACTIONAL MEASUREMENTS

- A. Fractional measurements. When units of measurements determining number of required off-street parking spaces result in a requirement of

a fractional space, then such fractional equal or greater than one-half (.5) shall require a full off-street parking space.

B. Off-street parking measurements.

Where this code requires off-street parking based on various types of measurements, the following rules shall apply:

- (i) Floor area means, for the purpose of this division only, the gross floor area inside the exterior walls, unless otherwise specifically indicated.
- (ii) In hospitals, bassinets do not count as beds.
- (iii) In stadiums, sports arenas, houses of worship, and other places of public assembly where occupants utilized benches, pews, or other similar seating arrangements, each 24 lineal inches of such seating facilities count as one seat.
- (iv) Where the parking requirements are based on number of employees or persons employed or working in an establishment and the number of employees increases after the building or structure is occupied, then the amount of off-street parking provided must be increased in ratio to the increase of the number of employees.

SECTION EIGHT: MINIMUM OFF-SITE PARKING REQUIREMENTS

Irrespective of any other requirement of this ordinance, each and every separate individual store, office, or other business shall be provided with at least two off-street parking spaces, unless specific provision is made to the contrary.

The community development director may determine the minimum parking requirements for a use which is not specifically referenced below or for which an applicant has provided evidence that a specific use is of such a unique nature that the applicable minimum parking ratio listed in this code should not be applied. In making such a determination the community development director may require submission of parking generation studies; evidence of parking ratios applied by other counties and municipalities for the specific use; and other conditions and safeguards deemed to be appropriate to protect the public health, safety and welfare.

A. Parking provided over and above the minimum parking requirements.

Developers of commercial and multi-family projects providing off-street parking in excess of 120 percent of the requirements of this code shall request a variance in accordance with the Land Development Code. The developer shall be required to provide double the landscaping required in interior vehicular use areas, for those projects requesting such a variance.

B. Encroachment prohibited.

Required off-street parking shall be located so that no automotive vehicle when parked shall have any portion of such vehicle overhanging or encroaching on public right-of-way or the property of another. If necessary, wheel stops or barriers may be required in order to enforce this provision.

C. Not to be reduced or changed.

Required off-street parking according to the requirements of this code shall not be reduced in area or changed to any other use unless the permitted or permissible use that it serves is discontinued or modified, or equivalent required off-street parking is provided meeting the requirements of this code.

D. Off-street parking credits

Parking credits shall be granted for new construction, renovations, and redevelopment of commercial buildings and commercial projects developed with the following amenities. In no case shall the parking credits exceed 20% of the total required parking. The parking credits for each category shall only be utilized once per property.

- (i) Interconnection of parking lots and driveways: A 15% reduction in the required amount of off-street parking may be approved for projects providing vehicular interconnects and/or shared driveways to adjacent projects, subject to an off-street parking agreement as specified in this code. The shared driveway must directly access the parking lots on both properties, and the property owner must file a cross-access agreement with the City of Marco Island in order to be eligible for the credit.
- (ii) Pedestrian access: One parking space credit shall be granted to each development for providing a pedestrian walkway(s) a minimum of five feet in width from a public sidewalk to the

front door(s) of a street front commercial business or building, and from the storefront walkway to the adjacent properties.

- (iii) Bicycle rack: One parking space credit shall be granted for providing a bicycle rack(s) and pedestrian bench(s) on-site. The bicycle rack shall be capable of storing a minimum of four (4) bicycles and the pedestrian bench shall be a minimum of five (5) feet in length. Bicycle racks and benches shall be placed in a visible location within 15 feet of the front building elevation(s) or along the pedestrian access path. The area around the bicycle rack and bench shall be landscaped with either one minimum fourteen (14) foot shade tree and four three gallon shrubs or three six (6) foot (gray wood) palm trees and four (4) three gallon shrubs per every bicycle rack and bench provided. The landscaping is in addition to any other landscape requirements of this code.
  
- (iv) On-street parking provided within the right-of-way: Where approved by the City for such parking alternatives, commercial projects and developments may provide some of their off-street parking requirement to be satisfied within the public right-of-way (except alleys). The developer can achieve up to a 50% credit for the total amount of required parking spaces provided in the right-of-way. The on-street parking shall be limited to the area located between the intersection of the front yard property lines and the adjacent right-of-way. Parking provided in the right-of-way shall be reviewed through the SDP process. Parking provided in the right-of-way shall be available for public use. There shall be no signs prohibiting and/or regulating parking within the public right-of-way unless so authorized or designated by the City.

E. Off-street parking space and stacking requirements:

Minimum off-street parking space requirements are set forth below. Where stacking is required, the amount listed does not include the first vehicle being serviced (for drive-in windows, stacking starts ten feet behind the middle of the pickup window) and is computed at 20 feet per vehicle (turns are computed at 22 feet per vehicle, measured at the outside of the driveway). Stacking for one lane may be reduced if the reduction is added to the other lane(s).

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Art gallery or museum	1 per 300 square feet of floor area open to the general public.
Athletic fields	25 spaces for each athletic field (baseball, softball, football, soccer, etc.). The community development director, or his designees, may administratively reduce this requirement where the applicant can demonstrate a reduced need for the required parking due to the type of athletic facility or where shared parking may be provided on adjacent public property. Grassed parking may be permitted for not more than 50 percent of the provided parking.
Auto maintenance center (drive-through)	1 per 250 square feet. Stacking for 5 vehicles for the first bay and 2 for each additional bay.
Auto service station	3.5 per service bay or 1 per 250 square feet, whichever is greater.
Auto/truck/trailer Leasing	1 per 500 square feet of roofed building area plus 1 per 2,000 square feet of paved outdoor vehicle storage area. These spaces shall not be used for the parking of rental vehicles.
Auto/truck/boat/motorcycle/recreational vehicle repair or body shop	3.5 per service bay or 1 per 250 square feet, whichever is greater.
Auto/truck/boat/motorcycle/recreational vehicle sales or dealership	1 per 400 square feet of building area except service/body shop buildings which are 3.5 per service bay or 1 per 250 square feet, whichever is greater; plus 1 per 2,000 square feet of outdoor sales/display area.
Auto/truck washing	1 for self-service wash facilities and 1 per employee of the largest shift for automatic wash facilities. Stacking for 2 vehicles, per stall for self-service wash bays and stacking for 5 vehicles per automatic carwash lane.
Bank or financial institution	1 per 250 square feet on the first floor and 1 per 300 square feet on any other floors. Stacking for 6 vehicles for each drive-up window not to exceed a total requirement of 25 vehicles.
Barbershop/beauty parlor/hair salon	1 per 200 square feet or 3 per barber/beautician haircutting chair, whichever is greater, and 1.5 per station or booth for nails, massages, facials, sun-tanning, etc.
Beverage center (drive-through)	1 per 250 square feet. Stacking for 5 vehicles for the first drive-through aisle and 2 for each

	additional aisle.	
Boat ramp	Minimum 10 spaces per ramp with dimensions of 10 feet wide by 40 feet long. Vehicular parking shall be provided at 4 spaces per ramp.	
Boat storage	(Only for dry storage on a site that has no water access for boats and those not associated with a self-service storage facility), 1 per 12 dry boat storage spaces.	
Bowling alley	1 per 200 square feet of bowling area which also includes parking for locker room area, bowlers' seating/approach area and storage area plus 1 per 150 square feet for all other uses including offices, snack bars, lounges, game/pool rooms, and sales areas.	
Building supplies/ lumberyard	(Only for retail sales where the supplies are primarily stored outside), 1 per 275 square feet of inside retail/office area plus 1 per 1,500 square feet of enclosed or roofed storage structures.	
Catering shop	1 per 500 square feet. Sales and display areas shall be computed at 1 per 250 square feet and office area shall be computed at 1 per 300 square feet.	
Child care/day nursery/adult day care center	1 per employee of the largest work-shift plus 1 space for every 10 children/adults. In addition, adequate drop-off and pickup areas shall be provided.	
Church/house of worship/temple/ synagogue	3 for each 7 seats in chapel or assembly area. Other uses are not counted except for residential uses. A reduction of this standard to a minimum of 1 space for each 4 seats, may be applied for in conjunction with an application for a site development plan, through the board of zoning appeals after review and recommendation of the planning board. This reduction will only be allowed for expansion created by congregational growth, for existing church buildings where the applicant can demonstrate a significant hardship exists.	
	A stacked or other parking plan shall be submitted with the application which will demonstrate that the vehicle parking will not have negative impacts upon neighboring properties and will provide adequate access for emergency vehicles.	
Coin-operated (laundry, self-service)	1 per each 2 washing machines.	

Commercial laundry	1 per 500 square feet of building area.	
Convenience store/ delicatessen/takeout prepared food store	1 per 200 square feet plus 1 for each 2 seats provided for food patrons.	
Dance, art, music studio	1 per 250 square feet.	
Dry cleaning	1 per 300 square feet.	
Equipment rental Store	1 per 500 square feet plus 1 per 2,000 square feet of outside storage/display areas.	
Funeral home/ crematories	1 per 75 square feet for room used for services and chapels and 1 per 300 square feet for all other uses.	
Furniture/carpet/major appliance store	1 per 600 square feet (this includes retail, office and storage areas).	
Golf course	4 per hole plus 1 per 200 square feet for office/lobby/pro shop/health club/clubhouse/lounge/snack bar/dining/meeting room areas and 50 percent of normal requirements for exterior recreation uses including: swimming pools, golf driving ranges, and tennis courts. Golf cart, golf bag and equipment storage rooms; maintenance buildings; and rooms for mechanical equipment shall be computed at 1 per 1,000 square feet.	
Golf driving range	1 per 2 driving tees and 1 per practice putting green plus normal requirements for any structures.	
Golf (miniature)	1.25 per hole plus normal requirements for any structures.	
Hospital	11 per 5 patient beds.	
Hotel	11 per 10 guestrooms (this includes the required parking for the hotel office and all accessory recreational facilities that are open to hotel guests only). Accessory uses shall be computed as follows: 50 percent of normal requirements for restaurants, 1 per 400 square feet for other retail uses, 1 per 100 square feet for meeting rooms, ball rooms and convention rooms and 1 per 100 square feet for lounges, bars and nightclubs.	
Industrial use, activity manufacturing, processing (not	1 per 500 square feet or 1 per employee of largest workshift, whichever is greater. Office/retail areas	

otherwise listed)	shall be computed at 1 per 275 square feet.
Interior decorator/ design center	1 per 300 square feet of building area.
Kennel/veterinarian	1 per 200 square feet except for animal holding areas. 1 per 10 animal holding areas.
Library, community recreational facility	1 for each 200 square feet or 1 for each 3 seats whichever is greater.
Lounge, bar bottleclub, nightclub, pool hall (drinking establishment)	1 per 50 square feet plus 1 per 75 square feet for any outdoor eating/drinking areas.
Marina, boatel	1 per 2 wet boat slips excluding those used for charter boats plus 1 per 5 dry boat storage spaces. Wet slips used for charter boats (including those for fishing, shelling, diving, and sightseeing purposes) are computed at 1 per 3 boat passengers based on the maximum number of passengers and charter boats used for dining are computed at 1 per 2 boat passengers based on the maximum number of passengers. Each parking space provided to meet the marina's boat slip or dry storage parking requirements may also be credited towards meeting 100 square feet of the parking requirements for the marina or any permitted marina-related activities excluding restaurants, lounges/bars and private clubs. Uses not receiving credit from parking provided for boat slips or dry storage spaces shall provide parking at the normal rate for those uses as required within this code.
Medical/dental office or clinic (outpatient care facility)	1 per 200 square feet.
Model home sales office/center	4 for the first unit and 1.5 for each additional unit.
Motel	12 per 10 guestrooms (this includes the required parking for the motel office and all accessory recreational facilities designed primarily for motel guests). Where accessory uses are designed primarily for motel guests, they shall be computed as follows: 67 percent of normal requirements for restaurants, 1 per 350 square feet for other retail uses, 1 per 100 square feet for meeting rooms,